

JC931 U.S. PTO
03/01/02

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03-06-02

PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office: U S DEPARTMENT OF COMMERCE

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JC936 US PTO
100714
03/01/02

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 390772

First Inventor Michael Minneman

Title MODULATION SYSTEM AND METHODS FOR OPTICAL SOURCE BANK

Express Mail Label No. EL820327247US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 29]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (*if filed*)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. Drawing(s) (35 U.S.C.113) [Total Sheets 5 1]
5. Oath or Declaration [Total Pages 4 1]
a. Newly executed (original or copy)
b. Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. CD-ROM or CD-R (2 copies); or
ii. paper
c. Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. §3.73(b) Statement Power of Attorney
11. English Translation Document (*if applicable*)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Certificate of Express Mail

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No _____ / _____

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 30955
(Insert Customer No. or Attach bar code label here)

| | | | |
|---------|-----------|----------|--|
| Name | | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

| | | | |
|-------------------|-----------------------|-----------------------------------|--------|
| Name (Print/Type) | Curtis A. Vock | Registration No. (Attorney/Agent) | 38,356 |
| Signature | <i>Curtis A. Vock</i> | Date | 3-1-02 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 410)

| Complete if Known | |
|----------------------|-------------------|
| Application Number | Unknown |
| Filing Date | Herewith |
| First Named Inventor | Mwichael Minneman |
| Examiner Name | Not Assigned |
| Group / Art Unit | Not Assigned |
| Attorney Docket No. | 390722 |

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to.

Deposit Account Number

12-0600

Deposit Account Name

Lathrop & Gage L.C.

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

- Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | \$ | Small Entity Fee Code | \$ | Fee Description | Fee Paid |
|-----------------------|-----|-----------------------|-----|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | 370 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1)

(\$ 370)

2. EXTRA CLAIM FEES

| Total Claims | 17 | -20 ** | = 0 | Extra Claims | Fee from below | Fee Paid |
|--------------------|----|--------|-----|--------------|----------------|----------|
| Independent Claims | 2 | -3 ** | = 0 | X | | 0 |
| Multiple Dependent | | | | X | | 0 |

| Large Entity Fee Code | \$ | Small Entity Fee Code | \$ | Fee Description | Fee Paid |
|-----------------------|-----|-----------------------|-----|--|----------|
| 103 | 18 | 203 | 9 | Claims in excess of 20 | |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 | |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid | |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent | |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2)

(\$ 0)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Fee Code | Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|----------|-----------------------|-----------------------|---|----------|
| 105 | 130 | 205 | 65 Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 Non-English specification | |
| 147 | 2,520 | 147 | 2,520 For filing a request for reexamination | |
| 112 | 920* | 112 | 920* Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 Extension for reply within first month | |
| 116 | 400 | 216 | 200 Extension for reply within second month | |
| 117 | 920 | 217 | 460 Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 Notice of Appeal | |
| 120 | 320 | 220 | 160 Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 Petition to revive – unavoidable | |
| 141 | 1,280 | 241 | 640 Petition to revive – unintentional | |
| 142 | 1,280 | 242 | 640 Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 Design issue fee | |
| 144 | 620 | 244 | 310 Plant issue fee | |
| 122 | 130 | 122 | 130 Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 Processing fee under 37 CFR 1.17 (q) | |
| 126 | 180 | 126 | 180 Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 Recording each patent assignment per property (times number of properties) | 40 |
| 146 | 740 | 246 | 370 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 40)

** or number previously paid, if greater. For Reissues, see above

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|-----------------------|----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Curtis A. Vock | Registration No. Attorney/Agent) | 38,356 | Telephone | 303-449-5800 |
| Signature | <i>Curtis A. Vock</i> | | | Date | 3-1-02 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Minneman

Application No.: Not Assigned
Filed: Herewith Group No.: Not Assigned
Examiner: Not Assigned

For: MODULATION SYSTEM AND METHODS FOR OPTICAL SOURCE BANK

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

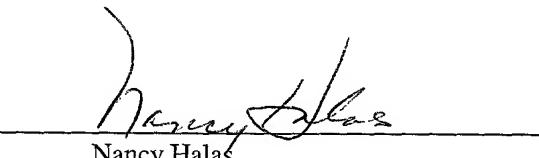
"Express Mail" label number EL820327247US

Date of Deposit: March 1, 2002

I hereby state that the following *attached* papers

1. Utility Patent Application Transmittal – 1 page;
2. Fee Transmittal – 1 page;
3. Check in the amount of \$410.00;
4. Specification - 29 pages (including 4 pages of claims numbered 1-17, and 1 page of Abstract,);
5. Drawings - 4 sheets, (Figs. 1-7);
6. Combined Declaration and Power of Attorney – 4 pages;
7. Assignment – 3 pages;
8. Assignment Recordation Form Cover Sheet – 2 pages;
9. Certificate of Mailing; and
10. Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.


Nancy Halas